

CONFIDENTIAL

JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Friday - 29 November 1974

25X1 [redacted]
25X1 1. [redacted] Called Dick Kennedy, White House staff, and
told him that in discussing the amendments to the Foreign Assistance Act
limiting intelligence activities with him, the Director had raised the question
of his sending a letter to the President on this subject. I asked Kennedy whether
he thought such a letter was necessary or needed. He said he thought it was not
needed since he had written a note to the President on the subject and he felt the
White House was "seized with the problem." He did suggest that I contact
Under Secretary of State Carl Maw to discuss this with him. The Director was
advised of Kennedy's recommendation and no letter is being sent.

25X1 2. [redacted] Tried to reach Under Secretary of State Carl
✓ Maw regarding the provisions in the foreign assistance act on intelligence
activities. In his absence I talked to Jim Michael who is doing the leg work
on the bill. I told Michael of my conversation with Dick Kennedy, White House
staff, on the provisions in question and of his concern and ours that there were
certain possible constitutional and policy issues that needed to be resolved.
I confirmed that there was agreement between Secretary Kissinger and Director
Colby and with the leadership of the House Committees concerned regarding
briefings on covert activities having an impact on foreign policy but I pointed out
that the Hughes and Ryan amendments carried this agreement considerably
further and we had reservations as to whether they did not constitute an
impingement of Presidential prerogatives. I said we had referred the latter
issue to Justice but haven't really gotten a final resolution. I said we had, of
course, brought these issues to the attention of OMB and themselves. Michael
acknowledged that his emphasis and priority on the bill had been with respect
to the substantive foreign assistance provisions figuring the other aspects were
"manageable." Michael suggested one solution to the problem would be to have the
President sign the bill but with reservations with respect to this section, reaffirming
his Presidential prerogatives. I said this wasn't a problem for me to resolve
but would perhaps this would be an acceptable solution to the White House.

25X1 [redacted] CONFIDENTIAL [redacted] 25X1

CRC, 9/11/2003

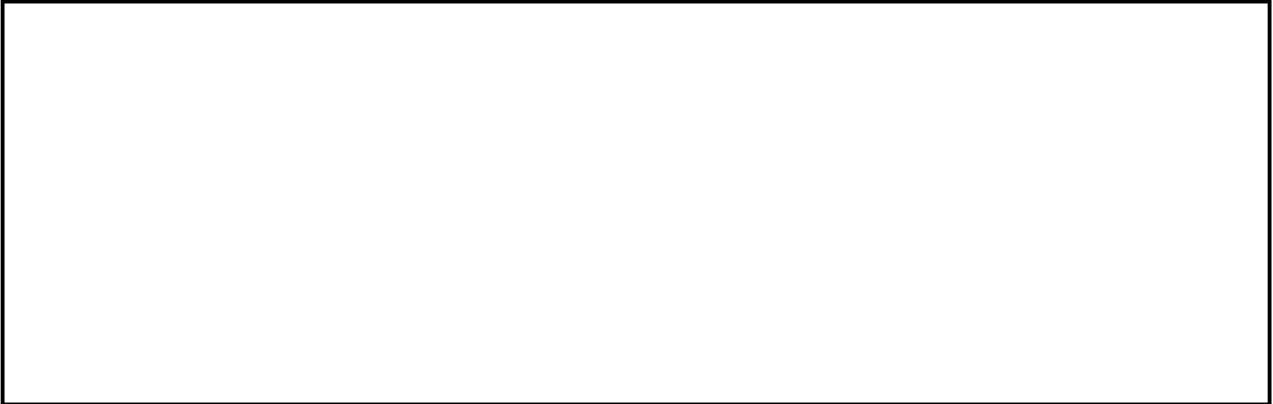
MORI/CDE

Journal - Office of Legislative Counsel

Page 2

Friday - 29 November 1974

CONFIDENTIAL



4. [redacted] Called Jim Michael, State, and got the version of the Hughes amendment to S. 3394, Foreign Assistance Act amendments, as agreed to by the Senate Foreign Relations Committee. The version picks up the change we suggested in our letter to Jim Frey, OMB.

CONFIDENTIAL

GEORGE L. CARY
Legislative Counsel

cc:
O/DDCI
Ex. Sec.

[redacted]
Mr. Thuermer
Mr. Warner Mr. Lehman
[redacted] EA/DDO
DDI DDA DDS&T
Comptroller